

Sub. H. B. No. 23
As Passed by the Senate

_____ moved to amend as follows:

In line 3 of the title, after "4504.22" insert ", 4506.01, 4506.11, 1
4507.01, 4507.061, 4507.13, 4507.52" 2

In line 9 of the title, after "4505.131" insert ", 4506.072, 3
4507.021, 4507.063, 4507.511" 4

In line 25, after "4504.22" insert ", 4506.01, 4506.11, 4507.01, 5
4507.061, 4507.13, 4507.52" 6

In line 29, after "4505.131" insert ", 4506.072, 4507.021, 4507.063, 7
4507.511" 8

After line 1752, insert: 9

"Sec. 4506.01. As used in this chapter: 10

(A) "Alcohol concentration" means the concentration of 11
alcohol in a person's blood, breath, or urine. When expressed as 12
a percentage, it means grams of alcohol per the following: 13

(1) One hundred milliliters of whole blood, blood serum, 14
or blood plasma; 15



(2) Two hundred ten liters of breath;	16
(3) One hundred milliliters of urine.	17
(B) <u>(B) (1) "Commercial driver's license" means a license</u>	18
issued in accordance with this chapter that authorizes an	19
individual to drive a commercial motor vehicle. <u>Except as</u>	20
<u>otherwise specifically provided, "commercial driver's license"</u>	21
<u>includes an "enhanced commercial driver's license."</u>	22
<u>(2) "Enhanced commercial driver's license" means a</u>	23
<u>commercial driver's license issued in accordance with sections</u>	24
<u>4507.021 and 4506.072 of the Revised Code that denotes</u>	25
<u>citizenship and identity and is approved by the United States</u>	26
<u>secretary of homeland security or other designated federal</u>	27
<u>agency for purposes of entering the United States.</u>	28
(C) "Commercial driver's license information system" means	29
the information system established pursuant to the requirements	30
of the "Commercial Motor Vehicle Safety Act of 1986," 100 Stat.	31
3207-171, 49 U.S.C.A. App. 2701.	32
(D) Except when used in section 4506.25 of the Revised	33
Code, "commercial motor vehicle" means any motor vehicle	34
designed or used to transport persons or property that meets any	35
of the following qualifications:	36
(1) Any combination of vehicles with a gross vehicle	37
weight or combined gross vehicle weight rating of twenty-six	38
thousand one pounds or more, provided the gross vehicle weight	39
or gross vehicle weight rating of the vehicle or vehicles being	40
towed is in excess of ten thousand pounds;	41
(2) Any single vehicle with a gross vehicle weight or	42
gross vehicle weight rating of twenty-six thousand one pounds or	43

more;	44
(3) Any single vehicle or combination of vehicles that is not a class A or class B vehicle, but is designed to transport sixteen or more passengers including the driver;	45 46 47
(4) Any school bus with a gross vehicle weight or gross vehicle weight rating of less than twenty-six thousand one pounds that is designed to transport fewer than sixteen passengers including the driver;	48 49 50 51
(5) Is transporting hazardous materials for which placarding is required under subpart F of 49 C.F.R. part 172, as amended;	52 53 54
(6) Any single vehicle or combination of vehicles that is designed to be operated and to travel on a public street or highway and is considered by the federal motor carrier safety administration to be a commercial motor vehicle, including, but not limited to, a motorized crane, a vehicle whose function is to pump cement, a rig for drilling wells, and a portable crane.	55 56 57 58 59 60
(E) "Controlled substance" means all of the following:	61
(1) Any substance classified as a controlled substance under the "Controlled Substances Act," 80 Stat. 1242 (1970), 21 U.S.C.A. 802(6), as amended;	62 63 64
(2) Any substance included in schedules I through V of 21 C.F.R. part 1308, as amended;	65 66
(3) Any drug of abuse.	67
(F) "Conviction" means an unvacated adjudication of guilt or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or an authorized administrative tribunal, an unvacated forfeiture of	68 69 70 71

bail or collateral deposited to secure the person's appearance	72
in court, a plea of guilty or nolo contendere accepted by the	73
court, the payment of a fine or court cost, or violation of a	74
condition of release without bail, regardless of whether or not	75
the penalty is rebated, suspended, or probated.	76
(G) "Disqualification" means any of the following:	77
(1) The suspension, revocation, or cancellation of a	78
person's privileges to operate a commercial motor vehicle;	79
(2) Any withdrawal of a person's privileges to operate a	80
commercial motor vehicle as the result of a violation of state	81
or local law relating to motor vehicle traffic control other	82
than parking, vehicle weight, or vehicle defect violations;	83
(3) A determination by the federal motor carrier safety	84
administration that a person is not qualified to operate a	85
commercial motor vehicle under 49 C.F.R. 391.	86
(H) "Domiciled" means having a true, fixed, principal, and	87
permanent residence to which an individual intends to return.	88
(I) "Downgrade" means any of the following, as applicable:	89
(1) A change in the commercial driver's license, or	90
commercial driver's license temporary instruction permit,	91
holder's self-certified status as described in division (A) (1)	92
of section 4506.10 of the Revised Code;	93
(2) A change to a lesser class of vehicle;	94
(3) Removal of commercial driver's license privileges from	95
the individual's driver's license.	96
(J) "Drive" means to drive, operate, or be in physical	97
control of a motor vehicle.	98

(K) "Driver" means any person who drives, operates, or is in physical control of a commercial motor vehicle or is required to have a commercial driver's license. 99
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(L) "Driver's license" means a license issued by the bureau of motor vehicles that authorizes an individual to drive. 102
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(M) "Drug of abuse" means any controlled substance, dangerous drug as defined in section 4729.01 of the Revised Code, harmful intoxicant as defined in section 2925.01 of the Revised Code, or over-the-counter medication that, when taken in quantities exceeding the recommended dosage, can result in impairment of judgment or reflexes. 104
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(N) "Electronic device" includes a cellular telephone, a personal digital assistant, a pager, a computer, and any other device used to input, write, send, receive, or read text. 110
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(O) "Eligible unit of local government" means a village, township, or county that has a population of not more than three thousand persons according to the most recent federal census. 113
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(P) "Employer" means any person, including the federal government, any state, and a political subdivision of any state, that owns or leases a commercial motor vehicle or assigns a person to drive such a motor vehicle. 116
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(Q) "Endorsement" means an authorization on a person's commercial driver's license that is required to permit the person to operate a specified type of commercial motor vehicle. 120
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(R) "Farm truck" means a truck controlled and operated by a farmer for use in the transportation to or from a farm, for a distance of not more than one hundred fifty miles, of products of the farm, including livestock and its products, poultry and 123
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its products, floricultural and horticultural products, and in 127
the transportation to the farm, from a distance of not more than 128
one hundred fifty miles, of supplies for the farm, including 129
tile, fence, and every other thing or commodity used in 130
agricultural, floricultural, horticultural, livestock, and 131
poultry production, and livestock, poultry, and other animals 132
and things used for breeding, feeding, or other purposes 133
connected with the operation of the farm, when the truck is 134
operated in accordance with this division and is not used in the 135
operations of a motor carrier, as defined in section 4923.01 of 136
the Revised Code. 137

(S) "Fatality" means the death of a person as the result 138
of a motor vehicle accident occurring not more than three 139
hundred sixty-five days prior to the date of death. 140

(T) "Felony" means any offense under federal or state law 141
that is punishable by death or specifically classified as a 142
felony under the law of this state, regardless of the penalty 143
that may be imposed. 144

(U) "Foreign jurisdiction" means any jurisdiction other 145
than a state. 146

(V) "Gross vehicle weight rating" means the value 147
specified by the manufacturer as the maximum loaded weight of a 148
single or a combination vehicle. The gross vehicle weight rating 149
of a combination vehicle is the gross vehicle weight rating of 150
the power unit plus the gross vehicle weight rating of each 151
towed unit. 152

(W) "Hazardous materials" means any material that has been 153
designated as hazardous under 49 U.S.C. 5103 and is required to 154
be placarded under subpart F of 49 C.F.R. part 172 or any 155

quantity of a material listed as a select agent or toxin in 42	156
C.F.R. part 73, as amended.	157
(X) "Imminent hazard" means the existence of a condition	158
that presents a substantial likelihood that death, serious	159
illness, severe personal injury, or a substantial endangerment	160
to health, property, or the environment may occur before the	161
reasonably foreseeable completion date of a formal proceeding	162
begun to lessen the risk of that death, illness, injury, or	163
endangerment.	164
(Y) "Medical variance" means one of the following received	165
by a driver from the federal motor carrier safety administration	166
that allows the driver to be issued a medical certificate:	167
(1) An exemption letter permitting operation of a	168
commercial motor vehicle under 49 C.F.R. 381, subpart C or 49	169
C.F.R. 391.64;	170
(2) A skill performance evaluation certificate permitting	171
operation of a commercial motor vehicle pursuant to 49 C.F.R.	172
391.49.	173
(Z) "Mobile telephone" means a mobile communication device	174
that falls under or uses any commercial mobile radio service as	175
defined in 47 C.F.R. 20, except that mobile telephone does not	176
include two-way or citizens band radio services.	177
(AA) "Motor vehicle" means a vehicle, machine, tractor,	178
trailer, or semitrailer propelled or drawn by mechanical power	179
used on highways, except that such term does not include a	180
vehicle, machine, tractor, trailer, or semitrailer operated	181
exclusively on a rail.	182
(BB) "Out-of-service order" means a declaration by an	183

authorized enforcement officer of a federal, state, local, 184
Canadian, or Mexican jurisdiction declaring that a driver, 185
commercial motor vehicle, or commercial motor carrier operation 186
is out of service as defined in 49 C.F.R. 390.5. 187

(CC) "Peace officer" has the same meaning as in section 188
2935.01 of the Revised Code. 189

(DD) "Portable tank" means a liquid or gaseous packaging 190
designed primarily to be loaded onto or temporarily attached to 191
a vehicle and equipped with skids, mountings, or accessories to 192
facilitate handling of the tank by mechanical means. 193

(EE) "Public safety vehicle" has the same meaning as in 194
divisions (E) (1) and (3) of section 4511.01 of the Revised Code. 195

(FF) "Recreational vehicle" includes every vehicle that is 196
defined as a recreational vehicle in section 4501.01 of the 197
Revised Code and is used exclusively for purposes other than 198
engaging in business for profit. 199

(GG) "Residence" means any person's residence determined 200
in accordance with standards prescribed in rules adopted by the 201
registrar. 202

(HH) "School bus" has the same meaning as in section 203
4511.01 of the Revised Code. 204

(II) "Serious traffic violation" means any of the 205
following: 206

(1) A conviction arising from a single charge of operating 207
a commercial motor vehicle in violation of any provision of 208
section 4506.03 of the Revised Code; 209

(2) (a) Except as provided in division (II) (2) (b) of this 210
section, a violation while operating a commercial motor vehicle 211

of a law of this state, or any municipal ordinance or county or	212
township resolution, or any other substantially similar law of	213
another state or political subdivision of another state	214
prohibiting either of the following:	215
(i) Texting while driving;	216
(ii) Using a handheld mobile telephone.	217
(b) It is not a serious traffic violation if the person	218
was texting or using a handheld mobile telephone to contact law	219
enforcement or other emergency services.	220
(3) A conviction arising from the operation of any motor	221
vehicle that involves any of the following:	222
(a) A single charge of any speed in excess of the posted	223
speed limit by fifteen miles per hour or more;	224
(b) Violation of section 4511.20 or 4511.201 of the	225
Revised Code or any similar ordinance or resolution, or of any	226
similar law of another state or political subdivision of another	227
state;	228
(c) Violation of a law of this state or an ordinance or	229
resolution relating to traffic control, other than a parking	230
violation, or of any similar law of another state or political	231
subdivision of another state, that results in a fatal accident;	232
(d) Violation of section 4506.03 of the Revised Code or a	233
substantially similar municipal ordinance or county or township	234
resolution, or of any similar law of another state or political	235
subdivision of another state, that involves the operation of a	236
commercial motor vehicle without a valid commercial driver's	237
license with the proper class or endorsement for the specific	238
vehicle group being operated or for the passengers or type of	239

cargo being transported;	240
(e) Violation of section 4506.03 of the Revised Code or a substantially similar municipal ordinance or county or township resolution, or of any similar law of another state or political subdivision of another state, that involves the operation of a commercial motor vehicle without a valid commercial driver's license being in the person's possession;	241 242 243 244 245 246
(f) Violation of section 4511.33 or 4511.34 of the Revised Code, or any municipal ordinance or county or township resolution substantially similar to either of those sections, or any substantially similar law of another state or political subdivision of another state;	247 248 249 250 251
(g) Violation of any other law of this state, any law of another state, or any ordinance or resolution of a political subdivision of this state or another state that meets both of the following requirements:	252 253 254 255
(i) It relates to traffic control, other than a parking violation;	256 257
(ii) It is determined to be a serious traffic violation by the United States secretary of transportation and is designated by the director as such by rule.	258 259 260
(JJ) "State" means a state of the United States and includes the District of Columbia.	261 262
(KK) "Tank vehicle" means any commercial motor vehicle that is designed to transport any liquid or gaseous materials within a tank or tanks that are either permanently or temporarily attached to the vehicle or its chassis and have an individual rated capacity of more than one hundred nineteen	263 264 265 266 267

gallons and an aggregate rated capacity of one thousand gallons 268
or more. "Tank vehicle" does not include a commercial motor 269
vehicle transporting an empty storage container tank that is not 270
designed for transportation, has a rated capacity of one 271
thousand gallons or more, and is temporarily attached to a 272
flatbed trailer. 273

(LL) "Tester" means a person or entity acting pursuant to 274
a valid agreement entered into pursuant to division (B) of 275
section 4506.09 of the Revised Code. 276

(MM) "Texting" means manually entering alphanumeric text 277
into, or reading text from, an electronic device. Texting 278
includes short message service, e-mail, instant messaging, a 279
command or request to access a world wide web page, pressing 280
more than a single button to initiate or terminate a voice 281
communication using a mobile telephone, or engaging in any other 282
form of electronic text retrieval or entry, for present or 283
future communication. Texting does not include the following: 284

(1) Using voice commands to initiate, receive, or 285
terminate a voice communication using a mobile telephone; 286

(2) Inputting, selecting, or reading information on a 287
global positioning system or navigation system; 288

(3) Pressing a single button to initiate or terminate a 289
voice communication using a mobile telephone; or 290

(4) Using, for a purpose that is not otherwise prohibited 291
by law, a device capable of performing multiple functions, such 292
as a fleet management system, a dispatching device, a mobile 293
telephone, a citizens band radio, or a music player. 294

(NN) "Texting while driving" means texting while operating 295

a commercial motor vehicle, with the motor running, including 296
while temporarily stationary because of traffic, a traffic 297
control device, or other momentary delays. Texting while driving 298
does not include operating a commercial motor vehicle with or 299
without the motor running when the driver has moved the vehicle 300
to the side of, or off, a highway and is stopped in a location 301
where the vehicle can safely remain stationary. 302

(OO) "United States" means the fifty states and the 303
District of Columbia. 304

(PP) "Upgrade" means a change in the class of vehicles, 305
endorsements, or self-certified status as described in division 306
(A) (1) of section 4506.10 of the Revised Code, that expands the 307
ability of a current commercial driver's license holder to 308
operate commercial motor vehicles under this chapter; 309

(QQ) "Use of a handheld mobile telephone" means: 310

(1) Using at least one hand to hold a mobile telephone to 311
conduct a voice communication; 312

(2) Dialing or answering a mobile telephone by pressing 313
more than a single button; or 314

(3) Reaching for a mobile telephone in a manner that 315
requires a driver to maneuver so that the driver is no longer in 316
a seated driving position, or restrained by a seat belt that is 317
installed in accordance with 49 C.F.R. 393.93 and adjusted in 318
accordance with the vehicle manufacturer's instructions. 319

(RR) "Vehicle" has the same meaning as in section 4511.01 320
of the Revised Code. 321

Sec. 4506.072. (A) Pursuant to the memorandum of 322
understanding agreement authorized by section 4507.021 of the 323

Revised Code between the director of public safety and the 324
United States department of homeland security or other 325
designated federal agency, and in accordance with the rules 326
adopted by the registrar of motor vehicles under that section, 327
the registrar or a deputy registrar shall issue an enhanced 328
commercial driver's license to an eligible applicant. An 329
applicant for an enhanced commercial driver's license shall do 330
all of the following: 331

(1) Provide satisfactory proof of the applicant's identity 332
and citizenship; 333

(2) Submit a biometric identifier as required by rule; 334

(3) Sign a declaration on a form prescribed by the 335
registrar acknowledging the use of the one-to-many biometric 336
match and radio frequency identification or other security 337
features of the license; 338

(4) Pay a fee of twenty-five dollars, in addition to any 339
other applicable fees in section 4506.08 of the Revised Code for 340
issuance of a commercial driver's license. The fee shall be paid 341
into the state treasury to the credit of the public safety - 342
highway purposes fund created in section 4501.06 of the Revised 343
Code. 344

(5) Comply with all other conditions, qualifications, and 345
requirements for issuance of a commercial driver's license. 346

(B) All provisions in the Revised Code relating to a 347
commercial driver's license include and apply to an enhanced 348
commercial driver's license. An enhanced commercial driver's 349
license may be used in the same manner as a commercial driver's 350
license and additionally is approved for purposes of entering 351
the United States at authorized land and sea ports. 352

Sec. 4506.11. (A) Every commercial driver's license shall 353
be marked "commercial driver's license" or "CDL" and shall be of 354
such material and so designed as to prevent its reproduction or 355
alteration without ready detection. The commercial driver's 356
license for licensees under twenty-one years of age shall have 357
characteristics prescribed by the registrar of motor vehicles 358
distinguishing it from that issued to a licensee who is twenty- 359
one years of age or older. Every commercial driver's license 360
shall display all of the following information: 361

(1) The name and residence address of the licensee; 362

(2) A color photograph of the licensee showing the 363
licensee's uncovered face; 364

(3) A physical description of the licensee, including sex, 365
height, weight, and color of eyes and hair; 366

(4) The licensee's date of birth; 367

(5) The licensee's social security number if the person 368
has requested that the number be displayed in accordance with 369
section 4501.31 of the Revised Code or if federal law requires 370
the social security number to be displayed and any number or 371
other identifier the director of public safety considers 372
appropriate and establishes by rules adopted under Chapter 119. 373
of the Revised Code and in compliance with federal law; 374

(6) The licensee's signature; 375

(7) The classes of commercial motor vehicles the licensee 376
is authorized to drive and any endorsements or restrictions 377
relating to the licensee's driving of those vehicles; 378

(8) The name of this state; 379

(9) The dates of issuance and of expiration of the 380

license;	381
(10) If the licensee has certified willingness to make an anatomical gift under section 2108.05 of the Revised Code, any symbol chosen by the registrar of motor vehicles to indicate that the licensee has certified that willingness;	382 383 384 385
(11) If the licensee has executed a durable power of attorney for health care or a declaration governing the use or continuation, or the withholding or withdrawal, of life-sustaining treatment and has specified that the licensee wishes the license to indicate that the licensee has executed either type of instrument, any symbol chosen by the registrar to indicate that the licensee has executed either type of instrument;	386 387 388 389 390 391 392 393
(12) On and after October 7, 2009, if the licensee has specified that the licensee wishes the license to indicate that the licensee is a veteran, active duty, or reservist of the armed forces of the United States and has presented a copy of the licensee's DD-214 form or an equivalent document, any symbol chosen by the registrar to indicate that the licensee is a veteran, active duty, or reservist of the armed forces of the United States;	394 395 396 397 398 399 400 401
(13) If the licensee is a noncitizen of the United States, a notation designating that the licensee is a noncitizen;	402 403
(14) Any other information the registrar considers advisable and requires by rule.	404 405
(B) <u>Every enhanced commercial driver's license shall have any additional characteristics established by the rules adopted under section 4507.021 of the Revised Code.</u>	406 407 408

(C) The registrar may establish and maintain a file of negatives of photographs taken for the purposes of this section.

~~(C)~~ (D) Neither the registrar nor any deputy registrar shall issue a commercial driver's license to anyone under twenty-one years of age that does not have the characteristics prescribed by the registrar distinguishing it from the commercial driver's license issued to persons who are twenty-one years of age or older.

~~(D)~~ (E) Whoever violates division ~~(C)~~ (D) of this section is guilty of a minor misdemeanor.

Sec. 4507.01. (A) As used in this chapter, "motor vehicle," "motorized bicycle," "state," "owner," "operator," "chauffeur," and "highways" have the same meanings as in section 4501.01 of the Revised Code.

"Driver's license" means a class D license issued to any person to operate a motor vehicle or motor-driven cycle, other than a commercial motor vehicle, and includes "probationary license," "restricted license," and any operator's or chauffeur's license issued before January 1, 1990. Except as otherwise specifically provided, "driver's license" includes an "enhanced driver's license."

"Enhanced driver's license" means a driver's license issued in accordance with sections 4507.021 and 4507.063 of the Revised Code that denotes citizenship and identity and is approved by the United States secretary of homeland security or other designated federal agency for purposes of entering the United States.

"Probationary license" means the license issued to any person between sixteen and eighteen years of age to operate a

motor vehicle. 438

"Restricted license" means the license issued to any 439
person to operate a motor vehicle subject to conditions or 440
restrictions imposed by the registrar of motor vehicles. 441

"Commercial driver's license" means the license issued to 442
a person under Chapter 4506. of the Revised Code to operate a 443
commercial motor vehicle. 444

"Commercial motor vehicle" has the same meaning as in 445
section 4506.01 of the Revised Code. 446

"Motorcycle operator's temporary instruction permit,
license, or endorsement" includes a temporary instruction 447
permit, license, or endorsement for a motor-driven cycle or 448
motor scooter unless otherwise specified. 449
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"Motorized bicycle license" means the license issued under 451
section 4511.521 of the Revised Code to any person to operate a 452
motorized bicycle including a "probationary motorized bicycle 453
license." 454

"Probationary motorized bicycle license" means the license 455
issued under section 4511.521 of the Revised Code to any person 456
between fourteen and sixteen years of age to operate a motorized 457
bicycle. 458

"Identification card" means a card issued under sections 459
4507.50 ~~and 4507.51~~ to 4507.52 of the Revised Code. Except as 460
otherwise specifically provided, "identification card" includes 461
an "enhanced identification card." 462

"Enhanced identification card" means an identification 463
card issued in accordance with sections 4507.021 and 4507.511 of 464
the Revised Code that denotes citizenship and identity and is 465

approved by the United States secretary of homeland security or 466
other designated federal agency for purposes of entering the 467
United States. 468

"Resident" means a person who, in accordance with 469
standards prescribed in rules adopted by the registrar, resides 470
in this state on a permanent basis. 471

"Temporary resident" means a person who, in accordance 472
with standards prescribed in rules adopted by the registrar, 473
resides in this state on a temporary basis. 474

(B) In the administration of this chapter and Chapter 475
4506. of the Revised Code, the registrar has the same authority 476
as is conferred on the registrar by section 4501.02 of the 477
Revised Code. Any act of an authorized deputy registrar of motor 478
vehicles under direction of the registrar is deemed the act of 479
the registrar. 480

To carry out this chapter, the registrar shall appoint 481
such deputy registrars in each county as are necessary. 482

The registrar also shall provide at each place where an 483
application for a driver's or commercial driver's license or 484
identification card may be made the necessary equipment to take 485
a color photograph of the applicant for such license or card as 486
required under section 4506.11 or 4507.06 of the Revised Code, 487
and to conduct the vision screenings required by section 4507.12 488
of the Revised Code. 489

The registrar shall assign one or more deputy registrars 490
to any driver's license examining station operated under the 491
supervision of the director of public safety, whenever the 492
registrar considers such assignment possible. Space shall be 493
provided in the driver's license examining station for any such 494

deputy registrar so assigned. The deputy registrars shall not 495
exercise the powers conferred by such sections upon the 496
registrar, unless they are specifically authorized to exercise 497
such powers by such sections. 498

(C) No agent for any insurance company, writing automobile 499
insurance, shall be appointed deputy registrar, and any such 500
appointment is void. No deputy registrar shall in any manner 501
solicit any form of automobile insurance, nor in any manner 502
advise, suggest, or influence any licensee or applicant for 503
license for or against any kind or type of automobile insurance, 504
insurance company, or agent, nor have the deputy registrar's 505
office directly connected with the office of any automobile 506
insurance agent, nor impart any information furnished by any 507
applicant for a license or identification card to any person, 508
except the registrar. This division shall not apply to any 509
nonprofit corporation appointed deputy registrar. 510

(D) The registrar shall immediately remove a deputy 511
registrar who violates the requirements of this chapter. 512

Sec. 4507.021. (A) (1) The director of public safety shall 513
enter into a memorandum of understanding agreement with the 514
United States department of homeland security or other 515
designated federal agency. The purpose of the agreement is to 516
obtain approval to issue enhanced driver's licenses, enhanced 517
commercial driver's licenses, and enhanced identification cards 518
to Ohio residents for use as proof of identity and citizenship 519
and for purposes of entering the United States at authorized 520
land and sea ports. 521

(2) In conjunction with the United States department of 522
homeland security or other designated federal agency, the 523
director may enter into an agreement with the United Mexican 524

States, any country within the region of the Caribbean, Canada, 525
or any Canadian province for the purpose of implementing a 526
border-crossing initiative. 527

(B) (1) Pursuant to an agreement under division (A) (1) of 528
this section, the registrar of motor vehicles, subject to 529
approval by the director, shall adopt rules in accordance with 530
Chapter 119. of the Revised Code governing issuance of an 531
enhanced driver's license, enhanced commercial driver's license, 532
and enhanced identification card. 533

(2) The rules shall establish all of the following: 534

(a) Acceptable methods of proving citizenship for an 535
applicant for an enhanced driver's license, enhanced commercial 536
driver's license, or enhanced identification card; 537

(b) Reasonable security measures to prevent counterfeiting 538
of enhanced licenses and identification cards and to protect 539
against unauthorized disclosure of personal information that is 540
contained in an enhanced license or identification card. The 541
rules may require a one-to-many biometric matching system for 542
identification purposes, use of radio frequency identification 543
technology, or use of other secure technology that is acceptable 544
to the United States department of homeland security and is 545
encrypted or otherwise secure from unauthorized data access. 546

(c) Any other additional characteristics of an enhanced 547
license or identification card as determined by the registrar. 548

(C) The registrar may adopt any other rules necessary to 549
administer the issuance of an enhanced driver's license, 550
enhanced commercial driver's license, and enhanced 551
identification card. 552

Sec. 4507.061. (A) Beginning on and after July 1, 2022, 553
the registrar of motor vehicles may authorize the online renewal 554
of a driver's license or identification card issued by the 555
bureau of motor vehicles for eligible applicants. An applicant 556
is eligible for online renewal if all of the following apply: 557

(1) The applicant's current driver's license or 558
identification card was processed in person at a deputy 559
registrar office. 560

(2) The applicant has a photo on file with the bureau of 561
motor vehicles from the applicant's current driver's license or 562
identification card. 563

(3) The applicant's current driver's license or 564
identification card expires on the birthday of the applicant in 565
the fourth year after the date it was issued. 566

(4) The applicant is applying for a driver's license or 567
identification card that expires on the birthday of the 568
applicant in the fourth year after the date it is issued. 569

(5) The applicant's current driver's license or 570
identification card is unexpired or expired not more than six 571
months prior to the date of the application. 572

(6) The applicant is a citizen of the United States and a 573
permanent resident of this state. 574

(7) The applicant is twenty-one years of age or older, but 575
less than sixty-five years of age. 576

(8) The applicant's current driver's license or driving 577
privileges are not suspended, canceled, revoked, or restricted, 578
and the applicant is not otherwise prohibited by law from 579
obtaining a driver's license or identification card. 580

(9) The applicant has no changes to the applicant's name	581
or personal information, other than a change of address.	582
(10) The applicant has no medical restrictions that would	583
require the applicant to apply for a driver's license or	584
identification card in person at a deputy registrar office. The	585
registrar shall determine the medical restrictions that require	586
in person applications.	587
(B) An applicant may not submit an application online for	588
any of the following:	589
(1) A temporary instruction permit;	590
(2) A commercial driver's license or a commercial driver's	591
license temporary instruction permit;	592
(3) An initial issuance of an Ohio driver's license or	593
identification card;	594
(4) An initial issuance of a federally compliant driver's	595
license or identification card;	596
(5) <u>An initial issuance of an enhanced driver's license or</u>	597
<u>enhanced identification card;</u>	598
<u>(6) An ignition interlock license;</u>	599
(6) <u>(7) A nonrenewable license.</u>	600
(C) The registrar may require an applicant to provide a	601
digital copy of any identification documents and supporting	602
documents as required by statute or administrative rule to	603
comply with current state and federal requirements.	604
(D) Except as otherwise provided, an applicant shall	605
comply with all other applicable laws related to the issuance of	606
a driver's license or identification card in order to renew a	607

driver's license or identification card under this section. 608

(E) The registrar may adopt rules in accordance with 609
Chapter 119. of the Revised Code to implement and administer 610
this section. 611

Sec. 4507.063. (A) Pursuant to the memorandum of 612
understanding agreement authorized by section 4507.021 of the 613
Revised Code between the director of public safety and the 614
United States department of homeland security or other 615
designated federal agency, and in accordance with the rules 616
adopted by the registrar of motor vehicles under that section, 617
the registrar or a deputy registrar shall issue an enhanced 618
driver's license to an eligible applicant. An applicant for an 619
enhanced driver's license shall do all of the following: 620

(1) Provide satisfactory proof of the applicant's identity 621
and citizenship; 622

(2) Submit a biometric identifier as required by rule; 623

(3) Sign a declaration on a form prescribed by the 624
registrar acknowledging the use of the one-to-many biometric 625
match and radio frequency identification or other security 626
features of the license; 627

(4) Pay a fee of twenty-five dollars, in addition to any 628
other applicable fees in sections 4507.23 and 4507.24 of the 629
Revised Code for issuance of a driver's license. The fee shall 630
be paid into the state treasury to the credit of the public 631
safety - highway purposes fund created in section 4501.06 of the 632
Revised Code. 633

(5) Comply with all other conditions, qualifications, and 634
requirements for issuance of a driver's license. 635

(B) All provisions in the Revised Code relating to a driver's license include and apply to an enhanced driver's license. An enhanced driver's license may be used in the same manner as a driver's license and additionally is approved for purposes of entering the United States at authorized land and sea ports.

Sec. 4507.13. (A) (1) The registrar of motor vehicles shall issue a driver's license to every person licensed as an operator of motor vehicles other than commercial motor vehicles. No person licensed as a commercial motor vehicle driver under Chapter 4506. of the Revised Code need procure a driver's license, but no person shall drive any commercial motor vehicle unless licensed as a commercial motor vehicle driver.

(2) Every driver's license shall display all of the following information:

(a) The distinguishing number assigned to the licensee;

(b) The licensee's name and date of birth;

(c) The licensee's residence address and county of residence;

(d) A color photograph of the licensee;

(e) A brief description of the licensee for the purpose of identification;

(f) A facsimile of the signature of the licensee as it appears on the application for the license;

(g) A notation, in a manner prescribed by the registrar, indicating any condition described in division (D) (3) of section 4507.08 of the Revised Code to which the licensee is subject;

(h) If the licensee has executed a durable power of attorney for health care or a declaration governing the use or continuation, or the withholding or withdrawal, of life-sustaining treatment and has specified that the licensee wishes the license to indicate that the licensee has executed either type of instrument, any symbol chosen by the registrar to indicate that the licensee has executed either type of instrument;

(i) If the licensee has specified that the licensee wishes the license to indicate that the licensee is a veteran, active duty, or reservist of the armed forces of the United States and has presented a copy of the licensee's DD-214 form or an equivalent document, any symbol chosen by the registrar to indicate that the licensee is a veteran, active duty, or reservist of the armed forces of the United States;

(j) If the licensee is a noncitizen of the United States, a notation designating that the licensee is a noncitizen;

(k) Any additional information that the registrar requires by rule.

(3) No license shall display the licensee's social security number unless the licensee specifically requests that the licensee's social security number be displayed on the license. If federal law requires the licensee's social security number to be displayed on the license, the social security number shall be displayed on the license notwithstanding this section.

(4) The driver's license for licensees under twenty-one years of age shall have characteristics prescribed by the registrar distinguishing it from that issued to a licensee who

is twenty-one years of age or older, except that a driver's 692
license issued to a person who applies no more than thirty days 693
before the applicant's twenty-first birthday shall have the 694
characteristics of a license issued to a person who is twenty- 695
one years of age or older. 696

(5) The driver's license issued to a temporary resident 697
shall contain the word "nonrenewable" and shall have any 698
additional characteristics prescribed by the registrar 699
distinguishing it from a license issued to a resident. 700

(6) Every enhanced driver's license shall have any 701
additional characteristics established by the rules adopted 702
under section 4507.021 of the Revised Code. 703

(7) Every driver's or commercial driver's license 704
displaying a motorcycle operator's endorsement and every 705
restricted license to operate a motor vehicle also shall display 706
the designation "novice," if the endorsement or license is 707
issued to a person who is eighteen years of age or older and 708
previously has not been licensed to operate a motorcycle by this 709
state or another jurisdiction recognized by this state. The 710
"novice" designation shall be effective for one year after the 711
date of issuance of the motorcycle operator's endorsement or 712
license. 713

~~(7)~~ (8) Each license issued under this section shall be of 714
such material and so designed as to prevent its reproduction or 715
alteration without ready detection. 716

(B) Except in regard to a driver's license issued to a 717
person who applies no more than thirty days before the 718
applicant's twenty-first birthday, neither the registrar nor any 719
deputy registrar shall issue a driver's license to anyone under 720

twenty-one years of age that does not have the characteristics 721
prescribed by the registrar distinguishing it from the driver's 722
license issued to persons who are twenty-one years of age or 723
older. 724

(C) Whoever violates division (B) of this section is 725
guilty of a minor misdemeanor. 726

Sec. 4507.511. (A) Pursuant to the memorandum of 727
understanding agreement authorized by section 4507.021 of the 728
Revised Code between the director of public safety and the 729
United States department of homeland security or other 730
designated federal agency, and in accordance with the rules 731
adopted by the registrar of motor vehicles under that section, 732
the registrar or a deputy registrar shall issue an enhanced 733
identification card to an eligible applicant. An applicant for 734
an enhanced identification card shall do all of the following: 735

(1) Provide satisfactory proof of the applicant's identity 736
and citizenship; 737

(2) Submit a biometric identifier as required by rule; 738

(3) Sign a declaration on a form prescribed by the 739
registrar acknowledging the use of the one-to-many biometric 740
match and radio frequency identification or other security 741
features of the card; 742

(4) Pay a fee of twenty-five dollars, in addition to any 743
other applicable fees in section 4507.50 of the Revised Code for 744
issuance of an identification card. The fee shall be paid into 745
the state treasury to the credit of the public safety - highway 746
purposes fund created in section 4501.06 of the Revised Code. 747

(5) Comply with all other requirements for issuance of an 748

identification card. 749

(B) All provisions in the Revised Code relating to an 750
identification card issued under sections 4507.50 to 4507.52 of 751
the Revised Code include and apply to an enhanced identification 752
card. An enhanced identification card may be used in the same 753
manner as an identification card and additionally is approved 754
for purposes of entering the United States at authorized land 755
and sea ports. 756

Sec. 4507.52. (A) (1) Each identification card issued by 757
the registrar of motor vehicles or a deputy registrar shall 758
display a distinguishing number assigned to the cardholder, and 759
shall display the following inscription: 760

"STATE OF OHIO IDENTIFICATION CARD 761

This card is not valid for the purpose of operating a 762
motor vehicle. It is provided solely for the purpose of 763
establishing the identity of the bearer described on the card, 764
who currently is not licensed to operate a motor vehicle in the 765
state of Ohio." 766

(2) The identification card shall display substantially 767
the same information as contained in the application and as 768
described in division (A) (1) of section 4507.51 of the Revised 769
Code, including, if the cardholder is a noncitizen of the United 770
States, a notation designating that the cardholder is a 771
noncitizen. The identification card shall not display the 772
cardholder's social security number unless the cardholder 773
specifically requests that the cardholder's social security 774
number be displayed on the card. If federal law requires the 775
cardholder's social security number to be displayed on the 776
identification card, the social security number shall be 777

displayed on the card notwithstanding this section. 778

(3) The identification card also shall display the color 779
photograph of the cardholder. 780

(4) If the cardholder has executed a durable power of 781
attorney for health care or a declaration governing the use or 782
continuation, or the withholding or withdrawal, of life- 783
sustaining treatment and has specified that the cardholder 784
wishes the identification card to indicate that the cardholder 785
has executed either type of instrument, the card also shall 786
display any symbol chosen by the registrar to indicate that the 787
cardholder has executed either type of instrument. 788

(5) If the cardholder has specified that the cardholder 789
wishes the identification card to indicate that the cardholder 790
is a veteran, active duty, or reservist of the armed forces of 791
the United States and has presented a copy of the cardholder's 792
DD-214 form or an equivalent document, the card also shall 793
display any symbol chosen by the registrar to indicate that the 794
cardholder is a veteran, active duty, or reservist of the armed 795
forces of the United States. 796

(6) The card shall be designed as to prevent its 797
reproduction or alteration without ready detection. 798

(7) The identification card for persons under twenty-one 799
years of age shall have characteristics prescribed by the 800
registrar distinguishing it from that issued to a person who is 801
twenty-one years of age or older, except that an identification 802
card issued to a person who applies no more than thirty days 803
before the applicant's twenty-first birthday shall have the 804
characteristics of an identification card issued to a person who 805
is twenty-one years of age or older. 806

(8) (a) Except as provided in division (A) (8) (b) of this section, every identification card issued to a resident of this state shall expire, unless canceled or surrendered earlier, on the birthday of the cardholder in the fourth or the eighth year after the date on which it is issued, based on the period of renewal requested by the applicant.

(b) Upon request, the registrar or a deputy registrar shall issue an identification card to a resident of this state who is permanently or irreversibly disabled that shall expire, unless canceled or surrendered earlier, on the birthday of the cardholder in the eighth year after the date on which it is issued. The registrar shall issue a reminder notice to a cardholder, at the last known address of the cardholder, six months before the identification card is scheduled to expire. The registrar shall adopt rules governing the documentation a cardholder shall submit to certify that the cardholder is permanently or irreversibly disabled.

As used in this section, "permanently or irreversibly disabled" means a condition of disability from which there is no present indication of recovery.

(c) Every identification card issued to a temporary resident shall expire in accordance with rules adopted by the registrar and is nonrenewable, but may be replaced with a new identification card upon the applicant's compliance with all applicable requirements.

(9) A cardholder may renew the cardholder's identification card within ninety days prior to the day on which it expires by filing an application and paying the prescribed fee, if required, in accordance with section 4507.50 of the Revised Code.

(10) If a cardholder applies for a driver's or commercial driver's license in this state or another licensing jurisdiction, the cardholder shall surrender the cardholder's identification card to the registrar or any deputy registrar before the license is issued.

(11) Every enhanced identification card shall have any additional characteristics established by the rules adopted under section 4507.021 of the Revised Code.

(B) (1) If a card is lost, destroyed, or mutilated, the person to whom the card was issued may obtain a duplicate by doing both of the following:

(a) Furnishing suitable proof of the loss, destruction, or mutilation to the registrar or a deputy registrar;

(b) Filing an application and presenting documentary evidence under section 4507.51 of the Revised Code.

(2) A cardholder may apply to obtain a reprint of the cardholder's identification card through electronic means in accordance with section 4507.40 of the Revised Code.

(3) Any person who loses a card and, after obtaining a duplicate or reprint, finds the original, immediately shall surrender the original to the registrar or a deputy registrar.

(4) A cardholder may obtain a replacement identification card that reflects any change of the cardholder's name by furnishing suitable proof of the change to the registrar or a deputy registrar and surrendering the cardholder's existing card.

(5) Except as provided in division (A) (6) or (7) of this section, when a cardholder applies for a duplicate, reprint, or

replacement identification card, the cardholder shall pay the	865
following fees:	866
(a) Two dollars and fifty cents;	867
(b) A deputy registrar or service fee equal to the amount	868
established under section 4503.038 of the Revised Code.	869
(6) The following cardholders may apply for a duplicate,	870
reprint, or replacement identification card without payment of	871
any fee prescribed in division (B) (5) of this section:	872
(a) A disabled veteran who has a service-connected	873
disability rated at one hundred per cent by the veterans'	874
administration;	875
(b) A resident who is permanently or irreversibly disabled	876
and who is unemployed.	877
(7) A cardholder who is seventeen years of age or older	878
may apply for a replacement identification card without payment	879
of any fee prescribed in division (B) (5) of this section.	880
(8) A duplicate, reprint, or replacement identification	881
card expires on the same date as the card it replaces.	882
(C) The registrar shall cancel any card upon determining	883
that the card was obtained unlawfully, issued in error, or was	884
altered. The registrar also shall cancel any card that is	885
surrendered to the registrar or to a deputy registrar after the	886
holder has obtained a duplicate, reprint, replacement, or	887
driver's or commercial driver's license.	888
(D) (1) No agent of the state or its political subdivisions	889
shall condition the granting of any benefit, service, right, or	890
privilege upon the possession by any person of an identification	891
card. Nothing in this section shall preclude any publicly	892

operated or franchised transit system from using an 893
identification card for the purpose of granting benefits or 894
services of the system. 895

(2) No person shall be required to apply for, carry, or 896
possess an identification card. 897

(E) Except in regard to an identification card issued to a 898
person who applies no more than thirty days before the 899
applicant's twenty-first birthday, neither the registrar nor any 900
deputy registrar shall issue an identification card to a person 901
under twenty-one years of age that does not have the 902
characteristics prescribed by the registrar distinguishing it 903
from the identification card issued to persons who are twenty- 904
one years of age or older. 905

(F) Whoever violates division (E) of this section is 906
guilty of a minor misdemeanor." 907

In line 4065, after "4504.22" insert ", 4506.01, 4506.11, 4507.01, 908
4507.061, 4507.13, 4507.52" 909

The motion was _____ agreed to.

SYNOPSIS 910

Enhanced driver's licenses and identification cards 911
(DPSCD64) 912

R.C. 4506.01, 4506.072, 4506.11, 4507.01, 4507.021, 913
4507.061, 4507.063, 4507.13, 4507.511, and 4507.52 914

Restores provisions from House-passed version of the bill 915

governing enhanced driver's licenses and IDs that do the	916
following:	917
1. Requires the Director of Public Safety to enter into an	918
agreement with the U.S. Department of Homeland Security in order	919
to obtain approval to issue enhanced driver's licenses, enhanced	920
commercial driver's licenses (CDL), and enhanced identification	921
(ID) cards.	922
2. Requires the Registrar of Motor Vehicles to adopt rules	923
governing the issuance and security of enhanced driver's	924
licenses, CDLs, and ID cards, all of which facilitate land and	925
sea border crossings between the U.S. and Canada, Mexico, and	926
the Caribbean.	927
3. Requires an applicant for an enhanced driver's license,	928
CDL, or ID card to comply with specified application	929
requirements, including providing proof of citizenship and	930
paying an additional \$25 fee.	931
4. Specifies that the Ohio laws applying to driver's	932
licenses, CDLs, and ID cards apply to their enhanced versions,	933
unless otherwise specified.	934